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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77191

Koichi OHTO, et al.

Appln. No.: 10/650,193

Group Art Unit: 2826

Confirmation No.: 6245

Examiner: Alexander O. WILLIAMS

Filed: August 28, 2003

For: SEMICONDUCTOR DEVICE HAVING SILICON-DIFFUSED METAL WIRING
LAYER AND ITS MANUFACTURING METHOD

RESPONSE TO ELECTION OF SPECIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner has identified the application as containing claims directed to five (5) distinct species. The Examiner has required Applicants to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner believes there are no generic claims.

In response to the Examiner's requirement, Applicants elect Species I, Figures 5A-8C, relating to a one-layer single-damascene structure for examination from which Claims 1-17 and 51 are readable thereon.

Applicants submit that Claim 1 is generic to all species. Thus, upon the allowance of the generic claim, Applicants request consideration of claims to additional species which are written in dependent form or otherwise include all of the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

Applicants submit that if any of the elected claims are found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

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Applicants reserve the right to file a Divisional Application directed to non-elected Claims 18-50, 52 and 53.

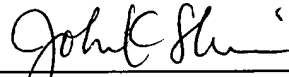
Summary of Examiner's Interview

On July 26, 2004, Applicants' representative called Examiner Williams to point out that in the Election of Species Requirement mailed July 12, 2004, the Office Action Summary only indicated that Claims 1-68 are pending in the application, apparently in error. The Examiner confirmed that Claims 1-212 are pending and that Claims 1-53 are subject to an Election of Species Requirement, with Claims 54-212 withdrawn from consideration by the Examiner.

Applicants respectfully request clarification of the disposition of the pending claims in the next Office communication.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

Date: August 11, 2004